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Date March 22, 2006 **Client-Matter** 11973-003

Fax Transmittal

Total Pages (Including Cover) 7

From Tiffany A. Levato

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To:

Voice No.:

Company: United States Patent & Trademark Office

Message

In re the Application of:)	Group Art Unit: 3761
Solomon et al.)	Examiner: Keshia GIBSON
Serial No.: 10/702,194)	
Filed: November 4, 2003)	
For: FOOD EXTRACTION APPARATUS)	
AND METHOD)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10702,194

Filing Date

November 4, 2003

First Named Inventor

Stephen Solomon et al.

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Art Unit

3761

Examiner Name

Keisha L. Gibson

MAR 22 2006

Attorney Docket Number

11973-003

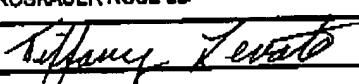
Total Number of Pages in This Submission

6

ENCLOSURES (Check all that apply)

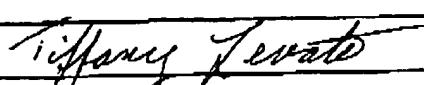
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> <input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
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<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	PROSKAUER ROSE LLP		
Signature			
Printed name	Tiffany A. Levato		
Date	March 22, 2006	Reg. No.	50,160

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Tiffany A. Levato	Date	March 22, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.
 Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT 180.00

Complete If Known	
Application Number	10/702,194
Filing Date	November 4, 2003
First Named Inventor	Solomon et al.
Examiner Name	Keshia L. Gibson
Art Unit	3761
Attorney Docket No.	11973-003

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METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 16-2600 Deposit Account Name: Proskauer Rose LLP
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below

Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments
 under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Fee (\$)	FILING FEES		SEARCH FEES		EXAMINATION FEES	
	Fee (\$)	Small Entity Fee (\$)	Application Type	Fee (\$)	Small Entity	Fee (\$)
Utility	300	150	500	250	200	100
Design	200	100	100	50	130	65
Plant	200	100	300	150	160	80
Reissue	300	150	500	250	600	300
Provisional	200	100	0	0	0	0

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

Small Entity

Fee (\$) 50 25

Each independent claim over 3 (including Reissues)

Fee (\$) 200 100

Multiple dependent claims

Fee (\$) 360 180

Total Claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
20	- 20 or HP = 0	x 25	=	Fee (\$)	Fee Paid (\$)	

HP = highest number of total claims

paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
2	- 3 or HP =	x	=

HP = highest number of independent

claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	Fee Paid (\$)

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Supplemental Information Disclosure Statement (IDS)

180

SUBMITTED BY		Registration No. (Attorney/Agent)	Telephone (212) 969-3686
Signature	<i>Tiffany Levato</i>	50,160	Date March 22, 2006
Name (Print/Type)	Tiffany A. Levato		

This collection of information is required by 37 CFR 1.18. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

7313/11973-003 Current 8338497 need assistance in completing the form, call 1-800-PTO-9199 and select option 2

03/02/2006 08:16 PM

Serial No.: 10/702,194
 Attorney Docket: 11973-003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:) Group Art Unit: 3761
 Solomon et al.) Examiner: Keshia GIBSON
 Serial No.: 10/702,194)
 Filed: November 4, 2003)
 For: FOOD EXTRACTION APPARATUS)
 AND METHOD)

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313

Sir:

In accordance with 37 CFR §§1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies of foreign patent documents and publications are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR §1.56. The submission thereof by Applicants is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR §1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicants as such.

Information Disclosure Statement Filing Provision:

- This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the

03/23/2006 MBINAS 00000033 162500 10702194
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7313/11973-003 Current/8403133v1

PAGE 4/7 * RCVD AT 3/22/2006 5:10:17 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-2/14 * DNIS:2738300 * CSID: * DURATION (mm:ss):02-08

Serial No.: 10/702,194
Attorney Docket: 11973-003

merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

- However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR §1.17(p) to the deposit account referenced below.
- However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.
- This IDS is being submitted under 37 CFR §1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR §1.113 or a Notice of Allowance under 37 CFR §1.311.
 - The fee due under 37 CFR §1.17(p) is submitted herewith.
 - A statement under 37 CFR §1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR §1.97(d) and charge the fee due under 37 CFR §1.17(p) to the deposit account below.
- This IDS is being submitted under 37 CFR §1.97(d), that is after a Final Action under 37 CFR §1.113 or a Notice of Allowance under 37 CFR §1.311, but before payment of the issue fee. A statement under 37 CFR §1.97(e) is included below. The fee due under 37 CFR §1.17(p) is submitted herewith.

Statement Under 37 CFR §1.97(e):

- Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.
- No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was

Serial No.: 10/702,194
Attorney Docket: 11973-003

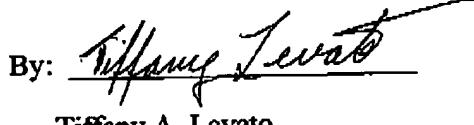
known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this IDS.

Payment and/or Authorization to Charge Fees:

- A check in the amount of _____ is enclosed for the above fee(s).
 Please charge \$180.00 to Deposit Account No. 16-2500 for the above fee(s).

The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Proskauer Rose LLP's Deposit Account No.16-2500.

Respectfully submitted,
Proskauer Rose LLP

By: 
Tiffany A. Levato

Reg. No. 50,160

Date: March 22, 2006

Proskauer Rose LLP
Patent Department
1585 Broadway
New York, NY 10036-8299
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PROSKAUER ROSE CUSTOMER NO: 21890

PTO/SB/08A (07-05)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet 1 of 1

Complete if Known	
Application Number	10/702,194
Filing Date	November 4, 2003
First Named Inventor	Solomon et al.
Art Unit	3761
Examiner Name	Keshia GIBSON
Attorney Docket Number	11973-003

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature _____ **Date Considered** _____

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. **1** Applicant's unique citation designation number (optional). **2** See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. **3** Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). **4** For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. **5** Kind of document by appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. **6** Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.87 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND ALL COMMENTS TO: U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

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If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.